

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

VIASAT, INC.,

Plaintiff,

v.

SPACE SYSTEMS/LORAL, LLC,

Defendant.

Civil No. 13-CV-2074-H (WVG)

ORDER VACATING DISCOVERY  
HEARING

On July 22, 2014, counsel for both parties notified the Court of a discovery dispute regarding Defendant's responses to Plaintiff's interrogatories ("Dispute No. 1"). On July 23, 2014, the Court Ordered the parties to file a Joint Statement for Determination of Discovery Dispute ("Joint Statement") by July 29, 2014, and set a Discovery Hearing for August 5, 2014, at 7:00 a.m. (Doc. No. 61.) The Court also Ordered the parties to arrive in San Diego, California, on August 4, 2014, to meet and confer in good faith for at least two hours in an attempt to resolve the discovery dispute. Id. at 2.

On July 25, 2014, counsel for both parties notified the Court of another discovery dispute regarding Defendant's responses to Plaintiff's requests for production of documents ("Dispute No. 2"). On July 28, 2014, the Court Ordered the parties to file a Joint Statement

1 by August 4, 2014, and set a Discovery Hearing for August 12, 2014, at 7:30 a.m. (Doc. No.  
2 62.) Again, the Court Ordered the parties to arrive in San Diego, California, on August 11,  
3 2014, to meet and confer in good faith for at least two hours in an attempt to resolve the  
4 discovery dispute. Id. at 2.

5 On August 1, 2014, counsel for both parties notified the Court of a third discovery  
6 dispute regarding Plaintiff's responses to Defendant's interrogatories ("Dispute No. 3"), and  
7 on August 5, 2014, counsel notified the Court of a fourth discovery dispute involving  
8 Plaintiff's responses to Defendant's requests for production of documents ("Dispute No. 4").

9 In compliance with the Court's July 23, 2014, Order, the parties filed a Joint Statement  
10 for Dispute No. 1 on July 29, 2014. (Doc. No. 68.) The parties attached Defendant's  
11 Responses to Plaintiff's First Set of Interrogatories to their Joint Statement. Id. The Court  
12 reviewed the parties' Joint Statement and corresponding discovery requests and responses.  
13 On August 4, 2014, the Court notified counsel for both parties that it had concerns with what  
14 appeared to be compound interrogatories propounded by Plaintiff, and boilerplate and  
15 conditional objections provided by Defendant. The Court ordered counsel to meet and  
16 confer and to provide the Court with a proposal on August 5, 2014, as to how they planned  
17 to proceed with discovery, given the Court's concerns.

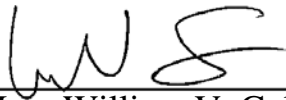
18 On August 5, 2014, at 7:00 a.m., the Court held a discussion on the record with  
19 counsel for both parties regarding their proposal for addressing the Court's issues with their  
20 discovery requests and responses. Mr. James Judah appeared on behalf of Plaintiff, and Mr.  
21 Thomas Zellerbach appeared on behalf of Defendant. Mr. Zellerbach explained to the Court  
22 that the parties had met and conferred on August 4, 2014, and Plaintiff agreed to withdraw  
23 all of its interrogatories, amend them in accordance with the Court's guidance, and reissue  
24 the interrogatories. Defendant agreed to amend or supplement its responses and objections  
25 to the interrogatories. The parties also agreed to amend their requests for production of  
26 documents in accordance with the Court's guidance, and to reissue their requests for  
27 production of documents within three weeks of August 5, 2014. Counsel notified the Court  
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1 that this procedure would encompass the discovery at issue in all four pending discovery  
2 disputes.

3 In light of the parties' agreement to amend their written discovery requests and  
4 responses to address the Court's concerns, the Court VACATED the August 5, 2014,  
5 Discovery Hearing. The Court also VACATES the Discovery Hearing set for August 12,  
6 2014, at 7:30 a.m., and will disregard the Joint Statement that was filed on August 4, 2014,  
7 for Dispute No. 2. Further, the Court will not set a briefing schedule or Discovery Hearing  
8 for Dispute Nos. 3 and 4 at this time. After the parties have provided responses to the re-  
9 issued discovery requests, the parties are reminded to bring any disputes to the Court's  
10 attention within thirty days of the date upon which the event giving rise to the dispute  
11 occurred. See Judge Gallo's Chambers Rule IV(B).

12 IT IS SO ORDERED.

13 DATED: August 7, 2014

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16 Hon. William V. Gallo  
17 U.S. Magistrate Judge  
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